United Nations A/56/179

General Assembly

Distr.: General
12 July 2001

Original: English

Fifty-sixth session
Item 132 (a) of the preliminary list*
Human rights questions: implementation of human rights instruments

Status of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

Report of the Secretary-General**

1. The General Assembly, by its resolution 45/158 of 18 December 1990, adopted and opened for signature, ratification and accession the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and called upon Member States to consider signing and ratifying or acceding to the Convention as a matter of priority.

2. In its resolution 55/88 of 4 December 2000, the General Assembly called upon all Member States, in particular in view of the tenth anniversary of the adoption of the Convention, to consider signing and ratifying or acceding to the Convention as a matter of priority; requested the Secretary-General to provide all the facilities and assistance necessary for the promotion of the Convention through the World Public Information Campaign on Human Rights and the programme of advisory services in the field of human rights; welcomed the global campaign for the entry into force of the Convention, and invited the organizations and agencies of the United Nations system and intergovernmental and non-governmental organizations to intensify further their efforts with a view to disseminating information on and promoting understanding of the importance of the Convention; and requested the Secretary-General to submit an updated report on the status of the Convention to the Assembly at its fifty-sixth session. A similar resolution, resolution 2001/53 of 24 April 2001, was adopted by the Commission on Human Rights.

3. As at 1 June 2001, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families had been ratified or acceded to by 16 States, namely, Azerbaijan, Bolivia, Bosnia and Herzegovina, Cape Verde,

* A/56/50.

** The footnote requested by the General Assembly in resolution 54/248 was not included in the submission.

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Colombia, Egypt, Ghana, Guinea, Mexico, Morocco, Philippines, Senegal, Seychelles, Sri Lanka, Uganda and Uruguay. In addition, 10 States, namely, Bangladesh, Chile, Comoros, Guatemala, Guinea-Bissau, Paraguay, Sao Tome and Principe, Sierra Leone, Tajikistan and Turkey, signed the Convention. The Convention will enter into force when at least 20 States have ratified or acceded to it.

4. Promotion of the international human rights treaties, including the Convention, is an ongoing priority of the Secretary-General and the United Nations High Commissioner for Human Rights. In a follow-up to their 1997 appeal to Governments urging ratification of the treaties, the Secretary-General and the High Commissioner sent a joint letter to heads of Governments on 19 January 1999, to which a number of positive responses were received. In addition, on 15 May 2000, the Secretary-General sent a letter to all heads of State or Government inviting them to take the opportunity presented by the Millennium Summit, to be held in New York from 6 to 8 September 2000, to sign and ratify or accede to the multilateral treaties deposited with him. The 25 treaties representing the United Nations key objectives were listed in an attachment to the letter. The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families was included in that core group of treaties. As a result, three ratifications or accessions to and seven signatures of the Convention were deposited with the Secretary-General in September/October 2000. Encouraged by that public reaffirmation by States of their commitment to the international rule of law, the Secretary-General has decided to organize a similar treaty event annually to enable States to undertake treaty actions in a solemn and high-profile setting. The next event will coincide with the twenty-seventh special session of the General Assembly on children and its fifty-sixth session, in September 2001.

5. Under the joint programme between the Office of the United Nations High Commissioner for Human Rights and the United Nations Development Programme entitled "Human Rights Strengthening", two workshops at the subregional and national levels have been planned for 2001. One was held in the Marshall Islands from 6 to 9 March 2001, the other will be organized in Barbados, probably in November 2001. Those workshops will aim at raising understanding of the main treaty provisions, examining the implications of ratification and informing Governments of the kinds of assistance that are available from the United Nations if they should wish to pursue ratification. The Convention on the Rights of Migrants is one of the seven treaties covered by the workshops.

6. Furthermore, the International Steering Committee of the Global Campaign for Ratification of the Convention on the Rights of Migrants, which was established in March 1998 for the purpose of building and popularizing a global campaign to promote the ratification and entry into force of the Convention, continued its activities, including through its national counterparts. The Office of the United Nations High Commissioner for Human Rights continued participating in and supporting the initiative. In particular, a round table was held on 12 April 2000 during the fifty-sixth session of the Commission on Human Rights. The round table was attended by the High Commissioner, the Special Rapporteur on the human rights of migrants, the Special Rapporteur on violence against women and the Special Rapporteur on the sale of children, child pornography and child prostitution. The Special Rapporteur on the human rights of migrants has recommended that actions be taken to promote the ratification of the Convention. She has also

participated in meetings of the Steering Committee. During the fifty-seventh session of the Commission, held from 19 March to 27 April 2001, the Steering Committee organized a special event to promote ratification of the Convention with the participation of the Deputy High Commissioner. The Steering Committee continued to meet throughout the year and to intensify its appeals for the ratification of the Convention. Efforts have been made to promote the adherence of the four remaining States necessary for its entry into force before the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance.

7. In addition, the Special Rapporteur on the human rights of migrants continued to promote adherence to the Convention within the framework of the mandate entrusted to her by the Commission on Human Rights.

8. Finally, through the programme of advisory services in the field of human rights, efforts have been pursued by the Secretariat to establish a dialogue with States that have not adhered to international human rights treaties, including the Convention on the Rights of Migrants.